

Worksheet
Determination of NEPA Adequacy (DNA)
U.S. Department of the Interior
Bureau of Land Management

OFFICE Black Rock Field Office, 5100 E Winnemucca Blvd., Winnemucca NV 89445

TRACKING NUMBER: DOI-BLM-NV-W000-2015-0006-DNA

CASEFILE/PROJECT NUMBER: 6840 Special Status Species Management;
6300 Wilderness Management

PROPOSED ACTION TITLE/TYPE: NDOW Survey and Capture of Bighorn Sheep
within Winnemucca District Wilderness

LOCATION/LEGAL DESCRIPTION: Calico Mountain Wilderness, High Rock Lake
Wilderness, East Fork High Rock Canyon Wilderness, Little High Rock Canyon
Wilderness, High Rock Canyon Wilderness, Pahute Peak Wilderness, Pine Forest Range
Wilderness

APPLICANT (if any): Nevada Department of Wildlife (NDOW)

**A. Description of the Proposed Action with attached map(s) and any applicable
mitigation measures.**

Background:

The California bighorn sheep herd inhabiting NDOW hunt unit 012 occupies an expansive amount of habitat in the Calico Mountains, Little High Rock Canyon, High Rock Canyon, Pole Canyon, Chukar Gulch, Warm Springs Canyon, Trough Mountain, Mahogany Mountain, and Yellow Rock Canyon. Highest densities and concentrations of bighorns are located within wilderness boundaries near Little High Rock Canyon, High Rock Canyon, and in the Calico Mountains. These locations would be the areas of primary focus for the capture. According to NDOW, the removal of 20-50 sheep would not impact the herd and may help increase productivity in those areas where the highest densities of sheep are found. Based on recent recruitment rates, it is estimated that it would take one to two years for the herd to replace the animals removed. The removal of 20-50 animals represents a 10-15 percent reduction in the population.

According to NDOW, sheep would be captured in high density areas because there is a need for sheep to be released within low density areas. The DNA is evaluating this capture proposal including aerial surveying and the addition of one location that was not previously considered in existing NEPA documents; the Pine Forest Wilderness.

Proposed Action:

Aerial survey and capture operations within Black Rock-High Rock Area Wildernesses see attached map.

Aerial Survey Operations:

NDOW proposes to conduct aerial surveys during the months of August and September to determine the status of bighorn populations and habitat conditions. Information obtained from these flights would be used to evaluate whether herds can sustain removals, and to determine how many animals can be removed through capture operations.

Bighorn Sheep Capture Operations:

NDOW proposes to land a helicopter in designated wilderness in order to capture and relocate 20-50 bighorn sheep. The sheep would be taken from areas of high population density and released in areas needing population supplementation. Capture operations would occur over approximately 2-4 days November through February.

NDOW contracts aerial net-gun capture services. The capture crew consists of a pilot and several members cross-trained in different aspects of large animal captures. The aircraft (MD500D or Bell 206 Long Ranger helicopter) is operated at altitudes generally below 300 feet above ground level while the crew attempts to locate animals, and in ferrying to and from a base of operations. In capture mode, the pilot maneuvers the aircraft close to ground level in pursuit of fleeing animals. The aircraft is maneuvered alongside an animal and at an opportune moment the pilot alters the lateral attitude of the aircraft presenting a larger target to the gunner.

Once an animal is entangled in a net the helicopter may hover close to the ground or land briefly to allow the handler(s) to dismount. A handler quickly works the animal out of the net, applies hobbles and a blindfold, and secures the animal in a transport bag. The transport bag is fastened to a sling line that is attached to the underside of the aircraft. Once captured, handled, and readied for transport, the sheep is ferried in a sling load fashion beneath the aircraft to the base of operations. Bases of operations or staging areas are confined to previously disturbed areas beyond wilderness boundaries.

Design measures included in existing EA #CA-370-05-01 and in this proposed action include:

- All staging areas would be located outside of wilderness
- Helicopter landings within wilderness would be minimized as much as possible; if sheep are available to capture outside of designated wilderness, they should be captured before using the wildernesses for captures.
- Captures would occur during times of low wilderness visitation (November through March) and would also be scheduled to avoid weekends and holidays.

Stipulations included in the Decision Record based on existing EA #NV-020-03-04 and recommended for this action include:

- Monitoring of the sheep population would occur during NDOWs normally scheduled monitoring flights.
- BLM would coordinate with NDOW to schedule monitoring flights during times that would have a reduced probability of impacting wilderness users.

Additional recommended stipulations based on Native American Consultations and the Wilderness Management Plan (WMP):

- NDOW will provide the Townships and Ranges of where the sheep are released and the general information on herd sizes (population count) in writing, by letter or email, to Winnemucca District (WD) BLM. The WD BLM will notify the Fort McDermitt Paiute Tribe and the Summit Lake Paiute Tribe of the Townships and Ranges of where the sheep are released in the form of a certified letter.
- Due to the proximity of the North Black Rock Range Wilderness and the Lahontan Cutthroat Trout Instant Study Area (LCT ISA) to the Summit Lake Paiute Tribe Reservation, helicopters will not land within the North Black Rock Wilderness or the LCT ISA.
- NDOW will provide BLM with information when the captures would occur due to the WMP identifying the need to inform visitors of impending activity. BLM would post capture dates on the BLM website a minimum of two weeks in advance.

B. Land Use Plan (LUP) Conformance

LUP Name: Winnemucca District Resource Management Plan Date Approved May 2015

The proposed action in conformance with the applicable LUP because it is specifically provided for the following LUP decisions:

Action FW 1.6: Manage existing and potential big game habitats to allow the introduction, reintroduction, augmentation, or transplant of native and nonnative big game species, including bighorn sheep, pronghorn, and mule deer in cooperation with NDOW.

LUP Name: Black Rock Desert High Rock Canyon Emigrant Trails National Conservation Area Resource Management Plan Date Approved July 2004

The proposed action in is conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decisions (objective, terms, and conditions):

Black Rock Desert High Rock Canyon Emigrant Trails National Conservation Area Resource Management Plan; 2-14:

“The Nevada Department of Wildlife (NDOW) has jurisdiction for managing wildlife in the wilderness areas in compliance with Federal wilderness laws, regulations and policies including: the Wilderness Act of 1964, which outlines general management including wildlife management in wilderness; Wilderness Regulations found in 43 CFR 6300, which further specify what actions are prohibited and how BLM is to manage wilderness areas; and BLM Manual 8560 and Handbook 8560-1, that provide policy guidance for specific wilderness management issues.”

C. Identify applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the proposed action.

Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area Wilderness Management Plan and Environmental Assessment (EA# NV-W030-2011-0001-EA) FONSI & Decision Record 12/21/2012 (pg 50 refers to BLM – NDOW MOU re: NDOW submittal of annual operations and maintenance schedule to BLM. Pg 52-53 cover wildlife relocation)

Capture of Bighorn Sheep within Black Rock-High Rock Area Wildernesses EA (EA# CA-370-05-01) FONSI & Decision Record 11/16/04

Environmental Assessment for the Release of California Bighorn Sheep in the North Black Rock Range Wilderness within the Winnemucca Field Office (EA# NV – 020-03-04) FONSI & Decision Record 12/18/2002

D. NEPA Adequacy Criteria

1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA documents(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?

Yes. The methods, design measures, geography, and resource conditions are unchanged from the existing EAs. The wilderness locations and capture operation plans are specifically addressed in EA #CA-370-05-01. The Pine Forest Wilderness is a proposed additional location for survey and capture operations that is in the same general vicinity and possess the same resources and special restrictions as described in EA #CA-370-05-01.

2. Is the range of alternatives analyzed in the existing NEPA documents(s) appropriate with respect to the new proposed action, given current environmental concerns, interests, and resource values?

Yes. The range of alternatives analyzed remains appropriate. The wilderness locations and capture operation plans are specifically addressed for in EA #CA-370-05-01. The

methods, design measures, and resource conditions are unchanged from the existing EAs. The proposed additional location for survey and capture operations is in the same general vicinity, possesses the same resources and special restrictions as described in EA #CA-370-05-01, and does not pose any resource conflicts.

3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?

Yes. The methods, design measures, and resource conditions are unchanged from the existing EAs. The wilderness locations and capture operation plans are addressed within EA #CA-370-05-0, with the exception of the Pine Forest Wilderness. The Pine Forest area was designated a wilderness in 2014 and is not within the Black Rock NCA, however the Pine Forest Wilderness possess the same resources and special restrictions as described in EA #CA-370-05-01. Therefore, the addition of the Pine Forest Wilderness does not substantially change the analysis.

In April 2010, the U.S. Fish and Wildlife Service (FWS) determined that the Greater Sage-Grouse warranted protection under the Endangered Species Act (ESA), but that listing the species was precluded by the need to address other, higher-priority species first. The FWS Greater Sage-Grouse decision placed the species on the candidate list for future regulatory action. Because of a court-ordered settlement, the FWS has until 2015 to make a final determination on listing the Greater Sage-Grouse under the ESA. BLM has developed draft guidance for the protection of sage-grouse habitats. BLM WO IM 2012-043, IM 2012-044, and NV IM 2015-017 provide guidance on how the BLM is to protect Greater Sage-Grouse habitat.

Due to the project being within Preliminary Priority Habitat (PPH) and Preliminary General Habitat (PGH) Greater Sage-Grouse habitat, BLM is directed under BLM NV IM 2015-017 to complete a “Proposed Activities in Greater Sage-Grouse Preliminary Habitat Areas” form. As this project is a discretionary action, the form requires NDOW coordination and a BLM Nevada State Office review. On May 8, 2015, the BLM Nevada State Office determined the proposed activity is in compliance with IM-2012-043 and can proceed with review of the proposal.

Given the new information on Greater Sage-Grouse, the proposed action could occur within PPH and PGH mapped habitat. The EA# NV – 020-03-04 analyzed the use of helicopters around sage-grouse and in sage-grouse habitat during winter use areas. The analysis conducted in the existing NEPA document is still valid because the new Proposed Action would occur outside of sensitive periods (lekking and nesting season) for the sage-grouse. This new circumstance would not substantially change the analysis based on the new proposed action.

4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?

Yes. The new proposed action is addressed in terms of direct, indirect, and cumulative effects within EA #CA-370-05-01. The methods, design measures, and resource conditions are unchanged from the existing EAs. The proposed additional locations are in the same general vicinity and possess the same resources and special restrictions as described in EA #CA-370-05-01.

Given the new information on Greater Sage-Grouse, the proposed action could occur within PPH and PGH mapped habitat. The EA# NV – 020-03-04 analyzed the use of helicopters around sage-grouse and in sage-grouse habitat during winter use areas. The analysis conducted in the existing NEPA document is still valid because the new Proposed Action would occur outside of sensitive periods (lekking and nesting season) for the sage-grouse. This new circumstance would not substantially change the analysis based on the new proposed action.

5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?

The Decision Record for EA #CA-370-05-01 requires any future captures continue to be shared with the public in the 30 day notification of proposed action (NOPA) process. The 30 day NOPA process for this action began April 27, 2015 and ended May 26, 2015.

During the NOPA period, comments were received from The Desert Trail Association, The Friends of Nevada Wilderness, and the Nevada State Historic Preservation Office (SHPO). The Desert Trail Association and The Friends of Nevada Wilderness were in support of the capture and relocation of the California Bighorn Sheep. The Nevada SHPO comments expressed the cultural importance of bighorn sheep to indigenous peoples of the Great Basin and recommended the information obtained from the survey flights be shared with consulting parties under the National Historic Preservation Act. In the case of this action, the consulting parties are the Fort McDermitt and Summit Lake Paiute Tribes. While the BLM can recommend that this information be shared, the NDOW is responsible for managing the wildlife populations.

Native American Consultation occurred with the Summit Lake Paiute Tribe and the Fort McDermitt Paiute Tribe. The Summit Lake Paiute Tribe Native American Consultation occurred on February 21, 2015 regarding this action. The Summit Lake Paiute Tribe expressed concerns regarding landing helicopters within the North Black Range Wilderness and the Lahontan Cutthroat Trout Instant Study Area (LCT ISA) due to the proximity of the North Black Rock Range Wilderness and LCT ISA to the Summit Lake Paiute Tribe Reservation. In addition, the Summit Lake Paiute Tribe requested general information on bighorn sheep herd sizes (population count) and where the sheep end up after relocation. No concerns were expressed by the Fort McDermitt Paiute Tribe during Native American Consultation on April 20, 2015.

The WMP has an additional public outreach requirement. In order to inform visitors of impending activity, capture dates would be posted on the BLM website a minimum of two weeks in advance. The WMP specifies that when feasible, specific project implementation would occur during periods of low visitor use.

The concerns and recommendations that were brought forward during the NOPA and Native American Consultation processes are addressed in the design measures and recommended stipulations identified in Section A of this document.

E. Persons/Agencies/BLM Staff Consulted

Name /Title	Resource/Agency Represented	Signature/Date	Comments (Attach if more room is needed)
Kathy Ataman	Cultural Resources	/S/ K. Ataman 6/3/15	
Kathy Ataman	Paleontological Resources	/S/ K. Ataman 6/3/15	
Mark Hall	Native American Religious Concerns	/S/ Mark E Hall 6/3/15	
Joey Carmosino	Recreation	/S/ VJ Carmosino 6/8/15	
Kathy Cadigan	T&E (Plants & Animals)	/S/ K. Cadigan 6/3/15	
Kathy Cadigan	Special Status Species (Plants & Animals)	/S/ K. Cadigan 6/3/15	
Kathy Cadigan	General Wildlife Habitat	/S/ K. Cadigan 6/3/15	
Garrett Swisher	Wild Horse & Burro	/S/ Garrett Swisher 6/8/15	
Zwaantje Rorex	Wilderness	/S/ Zwaantje Rorex 6/8/15	
Rob Bunkall	GIS	/S/ Rob Bunkall 6/8/15	
Lynn Ricci	NEPA Coordinator	/S/ Lynn B Ricci 6/19/15	

Note: Refer to the EA/EIS for a complete list of the team members participating in the preparation of the original environmental analysis or planning documents.

☒ **Conclusion** *(If you found that one or more of these criteria is not met, you will not be able to check this box.)*

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitutes BLM' compliance with the requirements of the NEPA.

/S/ K. Cadigan

Signature of Project Lead

/S/ Lynn B Ricci

Signature of NEPA Coordinator

/S/ Gene Seidlitz

Signature of the Responsible Official

7/13/15

Date

Note: The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.